

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Steven B. Cummings, an individual; John Gardiner, an individual; John Gardiner as Custodian for Max A. Gardiner; John Gardiner as Custodian for Paige M. Gardiner; John Gardiner as Custodian for Jake W. Gardiner; David J. Gartner, an individual; David J. Gartner Profit Sharing Plan; Stephen R. Gulbrandsen, an individual; Stephen R. Gulbrandsen Profit Sharing Plan; Gregory T. Hegwood, an individual; Blake Johnson, LLC, a limited liability company; Bryant Johnson, an individual; J. Evan Johnson, an individual; J. Evan Johnson Individual Retirement Account; Peter Johnson, an individual; R. Thomas Lane, an individual; Elizabeth J. Lane Individual Retirement Account; Craig Mandery, an individual; Mark R. Omlie and JoAnn Omlie, husband and wife; Gregory V. O'Toole Individual Retirement Account; Guy M. Peterson Individual Retirement Account, Jeffrey M. Petrik Individual Retirement Account; Sally A. Petrik Individual Retirement Account; Sally A. Petrik Individual Retirement Account; Joseph H. Ryan, an individual; Sandra M. Ryan, an individual; Robert Spadafora, an individual; and Thomas C. Weekley Individual Retirement Account,

Plaintiffs,

vs.

Paramount Partners, LP; Crossroad Capital Management, LLC; John W. Lawton; Capital Solutions Management, LP; Capital Solutions Distributors, LLC; Charles T. Thompson; Timothy R. Redpath; and Michael W. Bozora,

Defendants.

Court File No. 09-CV-00847-RHK-JJK

**AFFIDAVIT OF
BRYAN R. FELDHAUS
IN SUPPORT OF
MOTION TO DISMISS**

Bryan R. Feldhaus, after being first duly sworn, on oath, states as follows:

1. Affiant is an attorney licensed to practice law in the State of Minnesota and one of the attorneys representing Defendant Charles T. Thompson in the above matter. The purpose of this Affidavit is to present a complete record to the court concerning the Motion to Dismiss brought by Defendant Charles T. Thompson.

2. Attached hereto are true and correct copies of the following unpublished opinions as exhibits:

Exhibit A Roedler v. United States Dept. of Energy, 1999 WL 1627346 (D. Minn. 1999).

Exhibit B Evangelical Lutheran Church in America Bd. of Pensions v. Spherion Pacific Workforce, 2005 WL 1041487 (D. Minn. 2005).

Exhibit C Schaff v. Chateau Communities, Inc., 2005 WL 1734031 (Minn. Ct. App. 2005).

Exhibit D Pecarina v. Tokai Corp., 2002 WL 1023153 (D. Minn. 2002).

FURTHER YOUR AFFIANT SAITH NAUGHT.

s/ Bryan R. Feldhaus
Bryan R. Feldhaus

Subscribed and sworn to before me
this 14th day of July, 2009

s/ Joyce K. Dominique

Notary Public

My commission expires 1/31/2010